**राष्ट्रीय सुरक्षा नीति**

817. **श्री रामगोपाल यादव:**
**श्री ईश दत यादव:**

क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार देश के समक्ष वर्तमान चुनौतियों के मद्देनजर राष्ट्रीय सुरक्षा नीति तैयार करने पर विचार कर रही है;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ग) यदि नहीं, तो इसके क्या कारण है?

**गृह मंत्रालय में राज्य मंत्री (श्री मोहम्मद मकबूल डार):** (क) से (ग) अन्य बातों के साथ-साथ, हमारी खतरे की संभावनाओं और विश्वव्यापी तथा क्षेत्रीय सुरक्षा परिवेश पर आधारित भारत की एक व्यापक सामरिक नीति है। इस नीति की हमारी राष्ट्रीय सुरक्षा पर प्रभाव डालने वाली गतिविधियों के परिप्रेक्ष्य में सतत-समीक्षा की जाती है।

**Replacement of Police Act, 1861**

818. SHRI BANGARU LAXMAN:
SHRI KULDIP NAYYAR:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have any proposal to replace the existing Police Act, 1861, with a new one;

(b) if so, the details thereof and by when; and

(c) whether any steps have been taken to effect the replacement?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR)): (a) to (c) Since 'Police' is a State subject as per the Seventh Schedule of the Constitution of India, it is essentially for the State Governments to take steps to replace the existing police Act, 1861. The Central Government, on its part, has been emphasising on the States to bring about such changes in the functioning of their Police as are necesssary to meet the expectations of the people. It has, however, been suggested that the Central Government should prepare a model bill for the guidance of the States.

**Probe into Alleged suicide by IAS**

819. SHRI GURUDAS DAS GUPTA:
SHRI JALALUDIN ANSARI:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news item captioned "Sukhinda contract led to death" appearing in the Economic Times dated October 1, 1997;

(b) if so, whether a CBI probe has been ordered into the alleged suicide of Mr. M.C. Mahapatra, IAS as has been demanded by his wife; and

(c) if so, the detail thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) Yes, Sir.

(b) and (c) The case is under the investigation of the Crime Branch of Delhi Police.

**Under-Trials Languishing in Jails**

820. SHRI SANJAY DALMIA:
DR. D. VENKATESHWAR RAO:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission in its endeavour to improve Jail conditions has expressed concern about the large percentage of under-trials languishing in Jail without being formally brought to trial and pressed for their trail expeditiously; and

(b) if so, the action being taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) In its endeavour to improve the prison conditions, the National Human Rights Commission has been emphasising the need for an expeditiously disposal of cases of undertrials, languishing in jails. The Commission in their Annual Report for the year 1995-96 has remarked that the issue of overcrowding in the prison is of a serious concern and the conditions in jails are made worse by the large percentage of undertrials in jails.

With a view to reducing the number of undertrial prisoners, the Commission requested Inspector Generals of prison all over the country to facilitate the implementation of the judgement of the Hon'ble Supreme Court in 'Common Cause' Vs. Union of India and others, which inter-alia directed the Registrars of High Courts to ensure that certain categories of undertrial prisoners whose cases have been pending in the Courts or whose trial has not commenced for specified periods, may be released on bail or personal bond or discharged or acquitted. However, no specific directions have been issued to the Government by the Commission, in this regards.

(b) Although 'Prison' is a State subject under the Constitution of India, the Central Government have always expressed their concern about the large number of undertrials languishing in jails without being formally brought to trial. The Central Government while inter acting with the State Governments has stressed upon them to reduce the number of undertrials and has been suggesting various steps, like strengthening the infrastructure relating to the Administration of Criminal Justice and Prison Management, the liberalistion of bail procedure, speedy trial of cases, etc.

**Supreme Court Directive on Vohra Committee Report**

821. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court had asked the Union Government on August 21 last to file an affidavit on the follow up action taken by it on the Vohra Committee Report on the nexus among the politicians, bureaucrats and criminals;

(b) if so, whether any affidavit had been filed and if so, a bread outline thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR):

(a) Yes, Sir.

(b) Yes, Sir. On the issue of Nodal Agency set-up in pursuance of the recommendations of the Vohra Committee Report, the Supreme Court has observed that it is only a supervisory body without having clearly delineated powers and cannot, therefore, be very effective in controlling the pace and thrust of investicative efforts. In addition, while the Nodal Agency may be suited to coordinate and exchange information between different investigative agencies, its composition is such that it may not be viewed by public as completely independent or immune from pressure of every kind. For this reason, the Court has suggested that this task should be entrusted to an independent body that is capable of enjoying the completed trust and confidence of the people. The Court has observed that an insititution like the Ombudsman or a Lok Pal, properly set up would command such confidence and respect. Till such time, this institution is created the Court has recommended that a High Level Committee be appointed by the President of India with the advice of the Prime Minister and after consultation with the Speaker of Lok Sabha for monitoring investigations involving the kind of nexus referred to in the Vohra Committee Report.

The observations of the Supreme Court were carefully considered by the Union Cabinet. it is noted that a Lok Pal Bill has already been introduced by the Government in Lok Sabha which is being followed up. This meets with the Observation of the Supreme Court that "an institution like Lok Pal, properly set up could command such confidence and respect." While the measures to get the Lok Pal Bill passed are being followed, Government have set up a three Member Committee comprising of Shri B.G. Deshmukh, former Cabinet Secretary, Shri N.N. Vohra, Principal Secretary to the PM and Shri S.V. Giri, Central Vigilance Commissioner, to (i) monitor the working of the Nodal Agency and (ii) to examine the present structure and working of Central Bureau of Investigation (CBI), the Enforcement Directorate and related agencies to suggest changes, if any, needed to ensure:

(i) that offences alleged to have been committed by any persons,